



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

OFFICE OF THE SECRETARY
CPSC

2001 MAY 21 A 9:07

BALLOT VOTE SHEET

DATE: May 16, 2001

TO: The Commission

Sadye E. Dunn, Secretary *Todd S. [Signature]*

FROM: Michael S. Solender, General Counsel *MS*

Stephen Lemberg, Assistant General Counsel for Regulatory Affairs *SL*

Lowell F. Martin, Attorney-Advisor, OGC *L.F.M.*

SUBJECT: Request for Third Extension of Time for Submission of Report of DINP CHAP

MAY 29 2001

BALLOT VOTE DUE _____

Kenneth T. Bogen, Dr. P.H., is Chairman of the Chronic Hazard Advisory Panel (CHAP) appointed by the Commission pursuant to § 28(a) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2077(a), to advise it on any chronic hazards of cancer, birth defects, and gene mutations associated with children's products containing diisononyl phthalate (DINP). By letter of May 14, 2001, copy attached, Dr. Bogen requests that the Commission grant an extension until June 15, 2001 of the May 1, 2001 deadline for submission of the final report of the DINP CHAP that the Panel has failed to meet. The Assistant Executive Director for Hazard Identification and Reduction recommends approval of the request.

Section 31(b)(2)(B) of the CPSA, 15 U.S.C. § 2080(b)(2)(B) provides that, absent an extension, the report shall be due to the Commission 120 days after the CHAP convenes. The CHAP convened on May 10, 2000. Thus, the 120-day period ran on September 7, 2000. However, § 31(b)(2)(B) also provides that, upon request of the CHAP, the Commission may grant an extension to the report submission deadline for a specified period.

By letter of August 10, 2000, Chairman Bogen requested that the Commission grant an extension of the initial statutory 120-day report deadline until February 28, 2001. The Commission granted that extension request by ballot vote. By letter of January 31, 2001, Chairman Bogen requested that the Commission grant a further extension of the otherwise applicable February 28, 2001 deadline until May 1, 2001. The Commission granted the second extension request by ballot vote.

CPSC Hotline: 1-800-638-CPSC (2772) ★ CPSC's Web Site: <http://www.cpsc.gov>

CPSC 6 (b)(1) Cleared *[Signature]*
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NOTE: This document has not been
reviewed or accepted by the Commission.

Page 1 of 2

Initial *rh* Date *5/1/01*

Please indicate your vote on the following options:

- I. Grant the request of the CHAP to extend the deadline for submission of the report to June 15, 2001.

(Signature)

(Date)

- II. Do not grant the extension request.

(Signature)

(Date)

- III. Take other action (please specify).

(Signature)

(Date)

Attachment



Lawrence Livermore National Laboratory

HEALTH & ECOLOGICAL
ASSESSMENT DIVISION



May 14, 2001

Honorable Ann Brown, Chairman
U.S. Consumer Product Safety Commission
4340 East West Highway
Bethesda, MD 20814

Dear Hon. Madam Chairman:

This letter documents my request, as Chairman of the current USCPSC Chronic Hazards Advisory Panel on DINP, for authorization to re-extend the period of time during which our panel may continue to deliberate for the purpose of reaching final agreement on matters to be addressed in the panel's report on DINP. Our panel has completed its draft of our report, and the final formatting and administrative tasks involved in presenting the completed, signed report to you can be accomplished by June 15, 2001. To ensure sufficient time to produce and present to you our signed report, I therefore request that our deadline be extended to June 15, 2001.

Thank you very much for considering this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken T. Bogen'.

Kenneth T. Bogen, Dr.P.H.
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